

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMAUL LEE BAKER, BE6323,

Petitioner,

v.

CHARLES SCHUYLER, Acting Warden,<sup>1</sup>

Respondent.

Case No. [24-cv-00449-SK](#) (PR)

**ORDER OF TRANSFER**

Petitioner seeks federal habeas review of a sentence from Sacramento County Superior Court, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Petitioner is incarcerated at Salinas Valley State Prison in Monterey County, which lies within the venue of the Northern District of California. See id. § 84(a).

Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction/sentence (as opposed to the execution of a sentence) preferably are heard in the district of conviction/sentencing. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

Because Sacramento County lies in the Eastern District of California, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the United States District Court for the Eastern District of California.

The clerk shall transfer this matter forthwith.

**IT IS SO ORDERED.**

Dated: February 13, 2024

  
SALLIE KIM  
United States Magistrate Judge

<sup>1</sup> Acting Warden Charles Schuyler is substituted in for former Warden Trent Allen as the proper respondent in this habeas action.